

# PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for (the purpose of operating a child Day Care Center.)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Lessee: For Living, Inc.  
 (Type or Print Name)  
4701 North Charles Street  
 Address  
Baltimore, MD 21210  
 City and State

Legal Owner(s):  
Babcock Memorial Presbyterian Church  
 (Type or Print Name)  
4701 North Charles Street  
 Address  
Baltimore, MD 21210  
 City and State

Attorney for ~~Lessee~~ Lessee:  
Albert G. Boyce  
 (Type or Print Name)  
4701 North Charles Street  
 Address  
Baltimore, MD 21210  
 City and State

Signature  
 (Type or Print Name)  
 Address  
 City and State

Attorney for ~~Lessee~~ Lessee:  
Albert G. Boyce  
 (Type or Print Name)  
4701 North Charles Street  
 Address  
Baltimore, MD 21210  
 City and State

Signature  
 (Type or Print Name)  
 Address  
 City and State

Attorney for ~~Lessee~~ Lessee:  
Albert G. Boyce  
 (Type or Print Name)  
4701 North Charles Street  
 Address  
Baltimore, MD 21210  
 City and State

Signature  
 (Type or Print Name)  
 Address  
 City and State

Attorney for ~~Lessee~~ Lessee:  
Albert G. Boyce  
 (Type or Print Name)  
4701 North Charles Street  
 Address  
Baltimore, MD 21210  
 City and State

Signature  
 (Type or Print Name)  
 Address  
 City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of December, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of January, 1985, at 1:30 o'clock P.M.

Signature  
 (Type or Print Name)  
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 City and State

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## BALTIMORE COUNTY

## ZONING PLANS ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS

MICROFILMED

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner  
 FROM: Norman E. Gerber, Director, Office of Planning and Zoning  
 SUBJECT: Zoning Petition No. 85-201-X  
 Date: January 17, 1985

This office is supportive of this type of use in this type of facility.

Norman E. Gerber, Director

NEG:JGH:bjs

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 21, 1985  
 Albert G. Boyce, Esquire  
 Suite 200, 300 Cathedral Street  
 Baltimore, Maryland 21201

Dear Mr. Boyce:

RE: Item No. 149 - Case No. 85-201-X  
 Babcock Memorial Presbyterian Church  
 Special Exception Petition

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari  
 Chairman  
 Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Hudkins Associates, Inc.  
 200 East Joppa Road  
 Room 101, Shell Building  
 Towson, Maryland 21204

ORDER RECEIVED FOR FILING

DATE: January 1985

85-201-X

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your petition has been received and accepted for filing this 11th day of December, 1984.

Arnold Jablon  
 Zoning Commissioner  
 Nicholas B. Commodari  
 Chairman, Zoning Plans  
 Advisory Committee

BALTIMORE COUNTY  
 DEPARTMENT OF PUBLIC WORKS  
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
 DIRECTOR

January 18, 1985

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

Re: Item #149 (1984-1985)  
 Property Owner: Babcock Memorial  
 Presbyterian Church  
 N/E cor. Loch Raven Blvd. and Cottage Lane  
 Acres: 26,516.7 sq. ft.  
 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General

As no public facilities are involved, this office has no comment.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

James A. Parkie, P.E., Chief  
 Bureau of Public Services

JAM:EAM:REC:188



Maryland Department of Transportation  
 State Highway Administration

William K. Hellmann  
 Secretary  
 Hal Kassoff  
 Administrator

December 14, 1984

Mr. A. Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 12-11-84  
 ITEM: #149.  
 Property Owner: Babcock  
 Memorial Presbyterian Church  
 Location: NE/Cor. Loch Raven  
 Blvd., Route 542 and Cottage  
 Lane  
 Existing Zoning: D.R. 10.5  
 Proposed Zoning: Special  
 Exception for the purpose of  
 operation of a child Day Care  
 Center.  
 Acres: 26516.7 sq. ft.  
 District: 9th

Dear Mr. Jablon:

On review of the submittal of October 2, 1984 and field inspection, the State Highway Administration finds the plan generally acceptable.

It is requested the deteriorated curb sections along the northwest side of the service drive be repaired at time of construction.

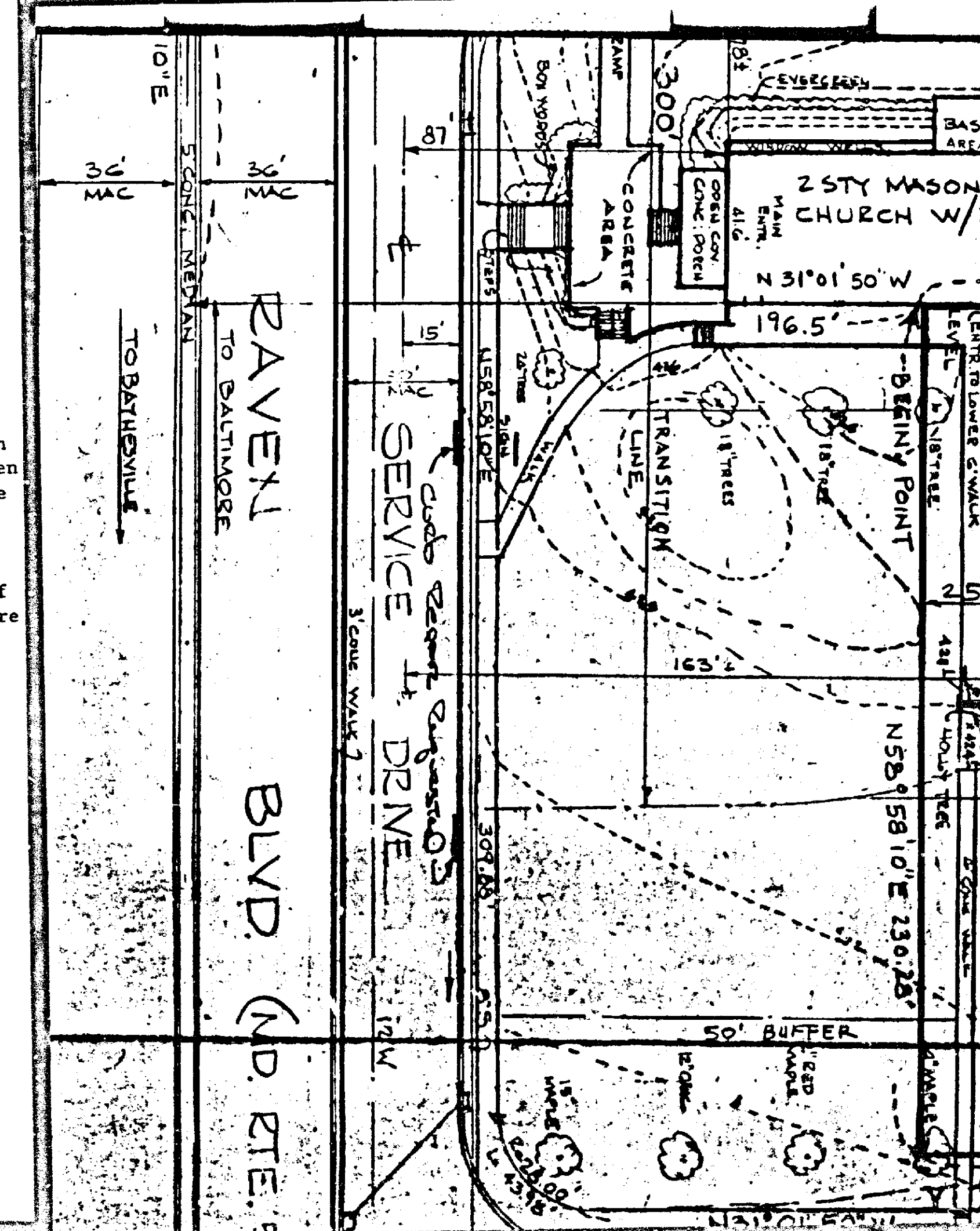
Very truly yours,

Charles Lee, Jr., Chief  
 Bureau of Engineering  
 Access Permits

By: George Wittman

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech  
 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
 P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717



APR 10 1985





Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 12/14/84  
Item # 149  
Property Owner: BABCOCK MEMORIAL PRESBYTERIAN CHURCH  
Location: NIEL LOCH RAVEN BLVD. & COTTAGE LANE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-88 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- ☒ Landscaping should be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments: \_\_\_\_\_

*Eugene A. Rober*  
Eugene A. Rober  
Chief, Current Planning and Development

RE: PETITION FOR SPECIAL EXCEPTION: BEFORE THE ZONING COMMISSIONER  
NW Corner Loch Raven Blvd. & Cottage Lane (8420 Loch Raven Blvd.), 9th District OF BALTIMORE COUNTY  
BABCOCK MEMORIAL PRESBYTERIAN CHURCH, Petitioner Case No. 85-201-X

ENTRY OF APPEARANCE

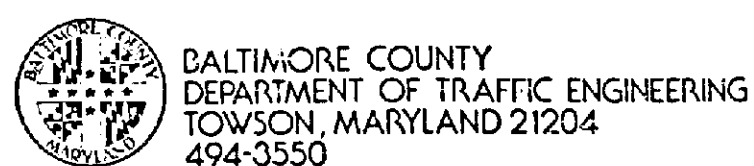
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
TOWSON, MD 21204  
494-2188

I HEREBY CERTIFY that on this 2nd day of January, 1985, a copy of the foregoing Entry of Appearance was mailed to Babcock Memorial Presbyterian Church, 8420 Loch Raven Blvd., Towson, MD 21204, Petitioner; and Albert G. Boyce, Esquire, Suite 200, 300 Cathedral St., Baltimore, MD 21201, Attorney for Lessee, Time for Livin', Inc., T/A The Red Balloon Day Care Center.

*Peter Max Zimmerman*  
Peter Max Zimmerman



STEPHEN E. COLLINS  
DIRECTOR

December 17, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 149 -SAC- Meeting of December 11, 1984  
Property Owner: Babcock Memorial Presbyterian Church  
Location: NE/Cor. Loch Raven Boulevard and Cottage Lane  
Existing Zoning: D.R. 10.5  
Proposed Zoning: Special exception for the purpose of operation of a child day care center.

Acres: 26516.7 sq. ft.  
District: 9th

Dear Mr. Jablon:

The petitioner must provide a safe off-street loading area for children.

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineering Assoc. II

MSE/cdm

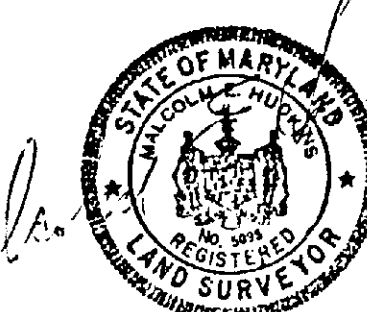
COLUMBIA OFFICE  
WALTER PARK  
Registered Surveyor  
Phone 730-9060

TOWSON OFFICE  
HUDKINS ASSOCIATES, INC.  
Engineers, Surveyors and  
Landscape Architects  
200 EAST JOPPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204  
PHONE: 828-9080

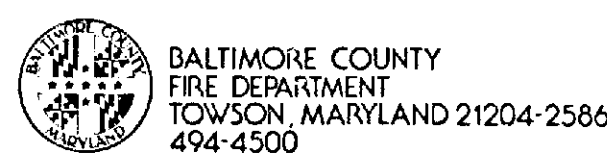
Revised  
November 5, 1984

DESCRIPTION FOR SPECIAL EXCEPTION TO ALLOW A DAY CARE CENTER  
AT 8420 LOCH RAVEN BOULEVARD IN BABCOCK MEMORIAL PRESBYTERIAN CHURCH:

Beginning for the same at a point distant the two following courses and distance from the centerline intersection of Cottage Lane and Loch Raven Boulevard (1) North 58 degrees 58 minutes 10 seconds East 120 feet  
(2) North 31 degrees 01 minutes 50 seconds West 196.5 feet thence North 58 degrees 58 minutes 10 seconds East 230.28 feet thence North 31 degrees 01 minutes 50 seconds West 115.1 feet thence South 58 degrees 58 minutes 10 seconds West 230.28 feet thence South 31 degrees 01 minutes 50 seconds East 115.1 feet to the place of beginning.  
Containing 26516.7 square feet more or less.



Malcolm E. Hudkins  
Registered Surveyor #5095



PAUL M. REINCKE  
CHIEF

December 18, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodore, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Babcock Memorial Presbyterian Church

Location: NE/Cor. Loch Raven Blvd. and Cottage Lane

Item No.: 149 Zoning Agenda: Meeting of 12/11/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

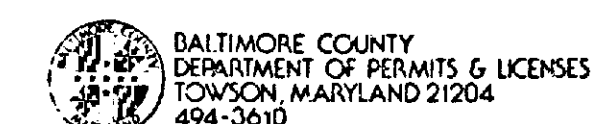
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. McGonnet*  
Noted and Approved: Fire Prevention Bureau  
Special Inspection Division

/mb



December 18, 1984

TED ZALEM, JR.  
DIRECTOR  
Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #149 Zoning Advisory Committee Meeting are as follows:

Property Owner: Babcock Memorial Presbyterian Church  
Location: NE/Cor. Loch Raven Blvd. and Cottage Lane  
Existing Zoning: D.R. 10.5  
Proposed Zoning: Special exception for the purpose of operation of a child day care center

Area: 26516.7 square feet  
District: 9th.

The items checked below are applicable:

- ☒ All structures shall conform to the Baltimore County Building Code 1981/Council Bill A-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
  - ☒ A building/structure permit shall be required before beginning construction.
  - ☒ Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
  - ☒ Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
  - ☒ An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, Line 2, Section 1007 and Table 1005, also Section 55-2.
  - ☒ Requested variance appears to conflict with the Baltimore County Building Code, Section/s \_\_\_\_\_.
  - ☒ A change of occupancy shall be applied for, along with an alteration permit application, and three revised sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
  - ☒ Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
  - ☒ Comments: No objectives as long as it complies with the definition of child day care center on page 21 of the Building Code. Should children of an earlier age or be non-ambulatory it would then be classified as institutional 1-2 as described on page 27 Section 505. This would require a change of use permit. Also, an alteration permit and plans showing upgrading of the new use. Table 1004, 1 child day care center currently is the same use group as a church. A new use group, day care center, was acquired a change of use permit from \_\_\_\_\_.
- NOTES: These comments apply only to the drawings submitted by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting from 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

*Charles E. Burman*  
Charles E. Burman, Chief  
Plans Review

CEB:ad

December 20, 1984

Albert G. Boyce, Esquire  
Suite 200, 300 Cathedral Street  
Baltimore, Maryland 21201

RE: Case No. 85-201-X  
Babcock Presbyterian Church,  
Petitioner

Dear Mr. Boyce:

I am in receipt of your letter dated December 14, 1984.

Please be advised that I will allow your client to receive a provisional permit to occupy the church for its intended purpose. However, it is possible that the projected legislation will not pass or pass quickly enough, which would mean that the special exception requested and scheduled for hearing on January 30, 1985 will be mandatory. As a necessary ingredient, the residential transition area (RTA) requirements must be satisfied in order for any special exception to be granted. If the special exception is denied and if the legislation does not pass, the day care center will be required to cease operating notwithstanding the time period.

Sincerely,  
*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

AJ/srl

ALBERT G. BOYCE  
ATTORNEY AT LAW  
SUITE 200  
300 CATHEDRAL STREET  
BALTIMORE, MARYLAND 21201  
(301) 628-1978

December 14, 1984

Commissioner Arnold Jablon  
Baltimore County Zoning Commission  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception - Babcock Presbyterian Church  
4720 Loch Raven Boulevard

Dear Commissioner Jablon:

Please be advised that I am representing Time for Livin', Inc., t/a the Red Balloon Day Care Center, which has filed the above Petition for Special Exception in order to operate a day care center for children at the above location. My client is a non-profit Maryland corporation which has provided day care resources for working parents for over twelve years in Baltimore City and, for the past five years, has operated such a facility in leased premises at the College of Notre Dame, 4701 North Charles Street, Baltimore, Maryland. The College has advised my client that it will be expanding into the premises currently under lease and will not offer these premises for renewal.

Time for Livin', Inc. has expended a great deal of time and effort in locating an appropriate site from which to operate its day care center and has reached an agreement with Babcock Presbyterian Church to lease a part of the above-captioned premises to operate such a facility. Under the present zoning regulations, a Special Exception must be obtained in order to operate a day care center in a church building. I have been advised by your office that a hearing date for the above petition will not be available until early February, 1985.

I have been further advised that Legislation Project No. 84-01, pursuant to which group day care centers would be permitted by right as accessory use in churches, was approved by the Baltimore County Council on December 11, 1984.

In view of the passage of Legislation Project No. 84-01, the possible delay involved in deferring approval until after a public hearing, the fact that Babcock Presbyterian Church has in the recent past operated a day care center itself at the above location, and the County's need for quality day care facilities, I am respectfully requesting on behalf of my client that you consider permitting my client to occupy and use the above premises as a day care center as of January 1, 1985. My client has indicated that it

1/30/85 1:10 P.M.



Commissioner Arnold Jablon  
December 14, 1984  
Page 2

would assume full responsibility for any consequences that may result from the denial of the Petition for Special Exception filed in this matter.

Thank you in advance for your attention and kind consideration of this matter.

Sincerely,

AGB/klg

cc: B. Fisk

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Zoning Commissioner  
FROM: Catherine Drayton, Child Day Care Office  
SUBJECT: The Red Balloon Day Care Center  
8240 Loch Raven Boulevard  
Baltimore, Maryland 21204

The license application for the Red Balloon Day Care Center has been pending for many months. It is a model day care program in Baltimore City transferring to Baltimore County. The proposed zoning regulations which would permit them to operate will not be ready for several weeks. Zoning approval is urgent to allow them to open the center by January 1985.

There are no apparent risks - environmental and child development reports are good.

CD/jt

cc: Mr. Steve Adamski

December 19, 1984

Albert G. Boyce, Esquire  
Suite 200  
300 Cathedral Street  
Baltimore, Maryland 21201

## NOTICE OF HEARING

RE: Petition for Special Exception  
NW/cor. Loch Raven Blvd. and Cottage Lane (8420 Loch Raven Blvd.)  
Babcock Memorial Presbyterian Church-Petitioner  
Case No. 85-201-X

TIME: 1:30 p.m.

DATE: Wednesday, January 30, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND No. 135875

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE: 1/27/85 ACCOUNT: R-01-615-000

AMOUNT: \$100.00

RECEIVED FROM: Twp. for Child Day Care

FOR: Babcock Memorial Presbyterian Church

Special Exception

6 USD\*\*\*\*\*100001\* 22045

VALIDATION OR SIGNATURE OF CASHIER

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 974 Date of Posting: 1/14/85  
Posted for: Special Exception for a nursery school  
Petitioner: Babcock Memorial Presbyterian Church  
Location of property: NW/cor. Loch Raven Blvd. & Cottage Lane  
Location of Sign: D. Drayton, Cor. of Loch Raven Blvd. & Cottage Lane, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204  
Remarks: (D. Drayton, Cor. of Loch Raven Blvd. & Cottage Lane, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204)  
Posted by: M. J. Drayton Date of return: 1/19/85  
Number of Signs: 2

## CERTIFICATE OF PUBLICATION

85-201-X

Towson, Md. 1/29 1985

THIS IS TO CERTIFY that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 24th day of January 1985.

The TOWSON TIMES

Cost of Advertisement: \$25.97

## CERTIFICATE OF PUBLICATION

TOWSON, MD. January 10, 1985

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 10, 1985.

THE JEFFERSONIAN,

85-201-X

Cost of Advertising 20.00

PETITION FOR SPECIAL EXCEPTION  
9th Election District  
LOCATION: Northwest corner Loch Raven Boulevard and Cottage Lane (8420 Loch Raven Boulevard)  
DATE AND TIME: Wednesday, January 30, 1985 at 1:30 p.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for a special exception for a nursery school (the purpose of operating a child day care center) on the date and at the time and place set forth above.

PETITION FOR SPECIAL EXCEPTION  
9th Election District  
LOCATION: Northwest corner Loch Raven Boulevard and Cottage Lane (8420 Loch Raven Boulevard)  
DATE AND TIME: Wednesday, January 30, 1985 at 1:30 p.m.  
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for a special exception for a nursery school (the purpose of operating a child day care center) on the date and at the time and place set forth above.

Being the property of Babcock Memorial Presbyterian Church as shown on the plat filed with the Zoning Office.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Dr. John G. Hamilton, Pastor, with wife Mary and son Stephen  
"Babcock, I make all things new"  
A small, loving congregation in a large, excellent facility, we are beginning an exciting new chapter in our church's history. We are a new church, reorganized after the disbanding of a large number of former members to form a new congregation.  
We are a small church, conducive to the growth of warm personal friendships.  
We are a growing church, where the efforts and influence of each individual help to shape future plans to accommodate growth in already in place, and the financial indebtedness is negligible.  
We are committed to the reformed tradition, recognizing the centrality and authority of Holy Scripture, proclaiming that Jesus Christ is Lord, and living by the power of the Holy Spirit and the Word of God.  
Babcock is an active member of the Presbytery of Baltimore and of the Synod of the United Methodist Church.  
The church is people. It is housed in facilities on a four acre plot. The interior is pre-Korean with a modern, yet warm, atmosphere. The interior is a blend of old and new, with a large, open, and bright space. The church is a place where you can find a sense of community and belonging.  
The church building houses the sanctuary, seating 400 persons and equipped with a well-appointed, 4000 watt Miller pipe organ. The lower level and three-story educational wing provide fellowship space for the church's many programs and a full size gymnasium, a full size kitchen, and a full size dining hall.  
Our newly appointed pastor, John G. Hamilton, graduated from Westminster College, having also spent a year in study at Edinburgh University, Scotland. He is a member of the United Methodist Church and has devoted the past seven years to the growth of two churches in York, Pennsylvania. He has a special appeal to children and youth.  
Like a well-tended vine, Babcock is poised for the coming period of new Christian growth. A future of growth and development is ahead of us as we work and worship together in the name of Jesus Christ.

BABCOCK PRESBYTERIAN CHURCH  
Towson, Maryland 21204-2299  
Telephone: (301) 253-2316

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3350

ARNOLD JABLON  
ZONING COMMISSIONER

January 21, 1985

Albert G. Boyce, Esquire  
Suite 200  
300 Cathedral Street  
Baltimore, MD 21201  
RE: Petition for Special Exception  
NW/cor. Loch Raven Blvd. and Cottage Lane (8420 Loch Raven Boulevard)  
Babcock Memorial Presbyterian Church - Petitioner  
Case No. 85-201-X

Dear Mr. Boyce:

This is to advise you that \$55.97 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND No. 004917  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
DATE: 1-30-85 ACCOUNT: R-01-615-000  
AMOUNT: \$55.97  
RECEIVED FROM: Red Balloon Day Care Center  
FOR: Adv. & Posting Case 85-201-X (Babcock Memorial Presbyterian Church)  
6 USD\*\*\*\*\*55273 52025  
VALIDATION OR SIGNATURE OF CASHIER





Chapel



Sanctuary



Manse

### Babcock Presbyterian Church

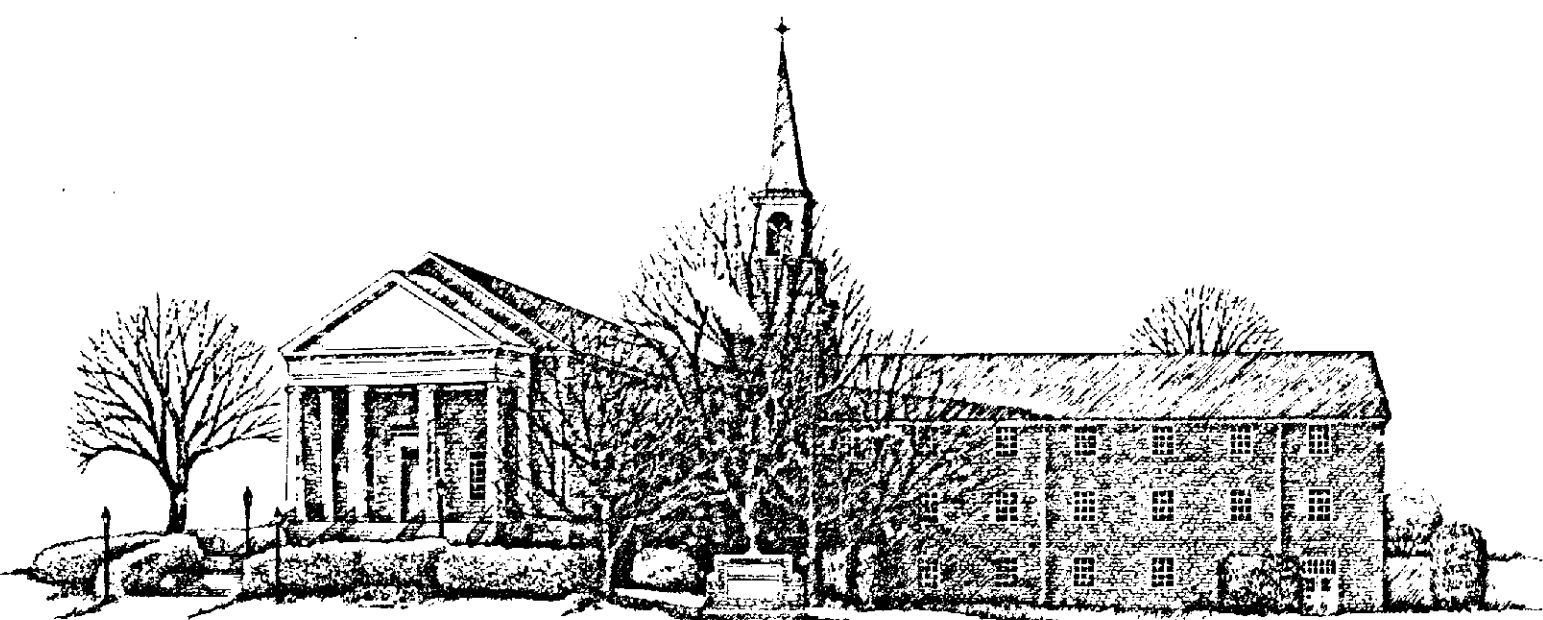
The Presbyterian Church (U.S.A.)



"Behold, I make all things new,"  
Revelation 21:5

Sunday Services:  
9:30 a.m. Church School  
11:00 a.m. Morning Worship  
(Infant and child care available)

**BABCOCK PRESBYTERIAN CHURCH**  
8240 Loch Raven Boulevard  
Towson, Maryland 21204-8289  
Telephone: (410) 825-3314



IN RE: PETITION SPECIAL EXCEPTION \*  
NW/corner of Loch Raven Boule- \*  
vard and Cottage Lane \*  
(8420 Loch Raven Boulevard) - \*  
9th Election District \*  
  
Babcock Memorial Presbyterian \*  
Church, \*  
  
Petitioner \*

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
  
Case No. 85-201-X

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a nursery school, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by its Lessee, Time for Livin, Inc., t/a The Red Balloon Day Care Center, Barbara Fisk, Director, appeared and was represented by Counsel. There were no Protestants.

Testimony indicated that the Petitioner, Babcock Memorial Presbyterian Church (Babcock), had operated a kindergarten and nursery school for many years until June, 1984. Babcock would now like to lease space in its educational building, which is attached to the Church but has a separate entrance, to the Lessee. The Lessee has operated a nursery school for 14 years, the last five years have been at Notre Dame College (Notre Dame). That lease will soon terminate, and the Lessee would like to relocate its operation to the Church property which will afford enough space to serve a maximum of 60 children in an area approximately 40' x 100' on the lower level of the educational building. There is adequate space for child pick-up and delivery on the site. In all of the years that Babcock operated its nursery school, no complaints were ever received. The nursery school proposes to operate from 7:30 a.m. to 5:30 p.m., Monday through Friday. It will serve 20 children, two to five years old, and then expand to a maximum of 60 children, two to five years old. Initially, there will

be two full-time teachers, and when expanded, a maximum of four full-time teachers.

The need for child day care in this age group is obvious, but it is indeed rare to find a location where there is no opposition. Certainly, all of the conditions precedent as delineated in Section 502.1 are satisfied here.

The Petitioner seeks relief from Section 1B01.1.C.11, pursuant to Section 502.1, Baltimore County Zoning Regulations (BCZR).

It is clear that the BCZR permit the use requested by the Petitioner in a D.R.10.5 Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 have been satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).


The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning

classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 4 day of February, 1985, that the Petition for Special Exception for a nursery school be and the same is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The hours of operation shall be from 7:30 a.m. to 5:30 p.m., Monday through Friday.
2. No more than 60 children may be enrolled at any one time.

  
Zoning Commissioner of  
Baltimore County

AJ/srl  
cc: Albert G. Boyce, Esquire  
People's Counsel

ORDER RECEIVED FOR FILING

DATE February 4, 1985

BY John P. Lavery, Jr.

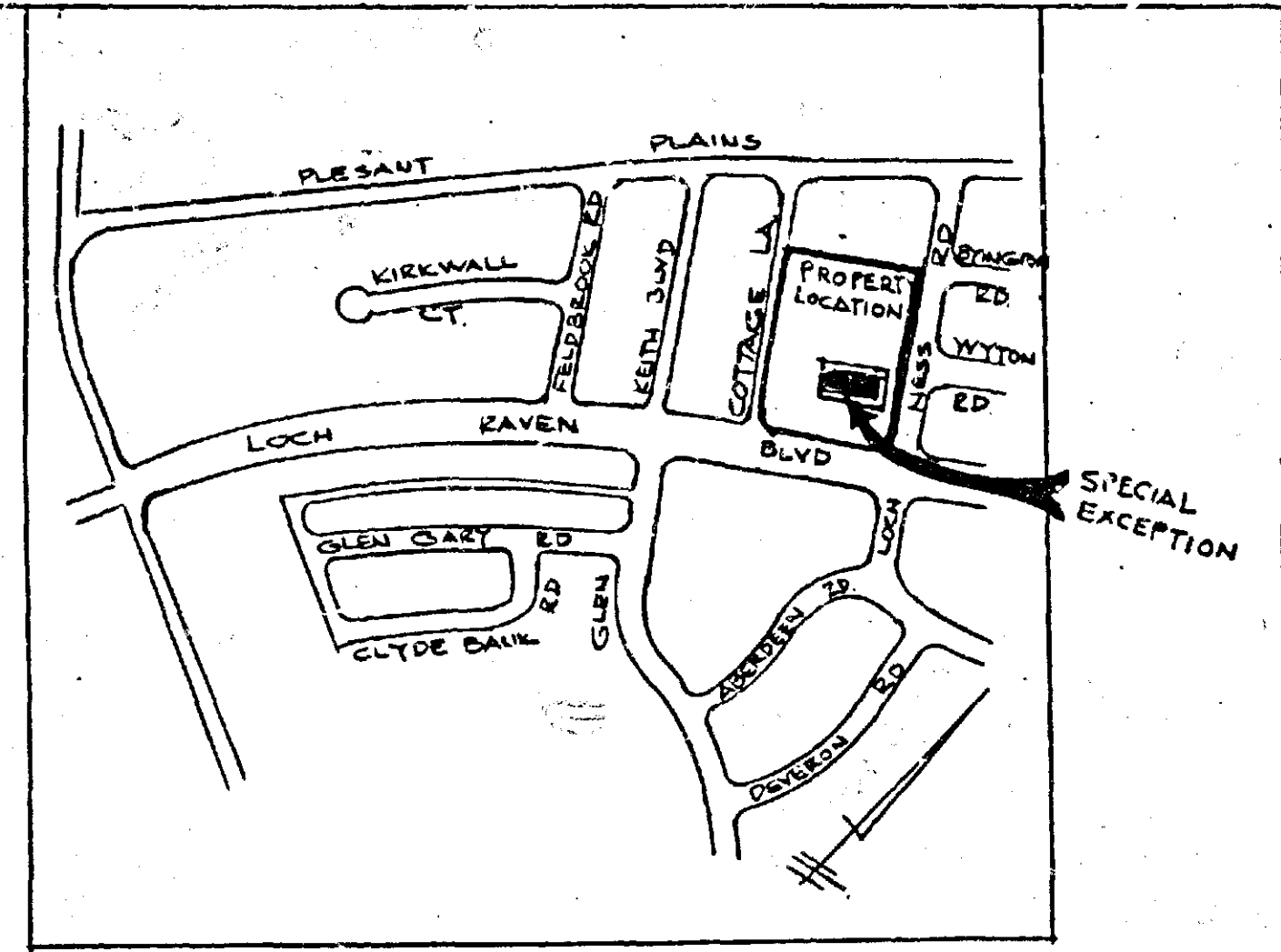
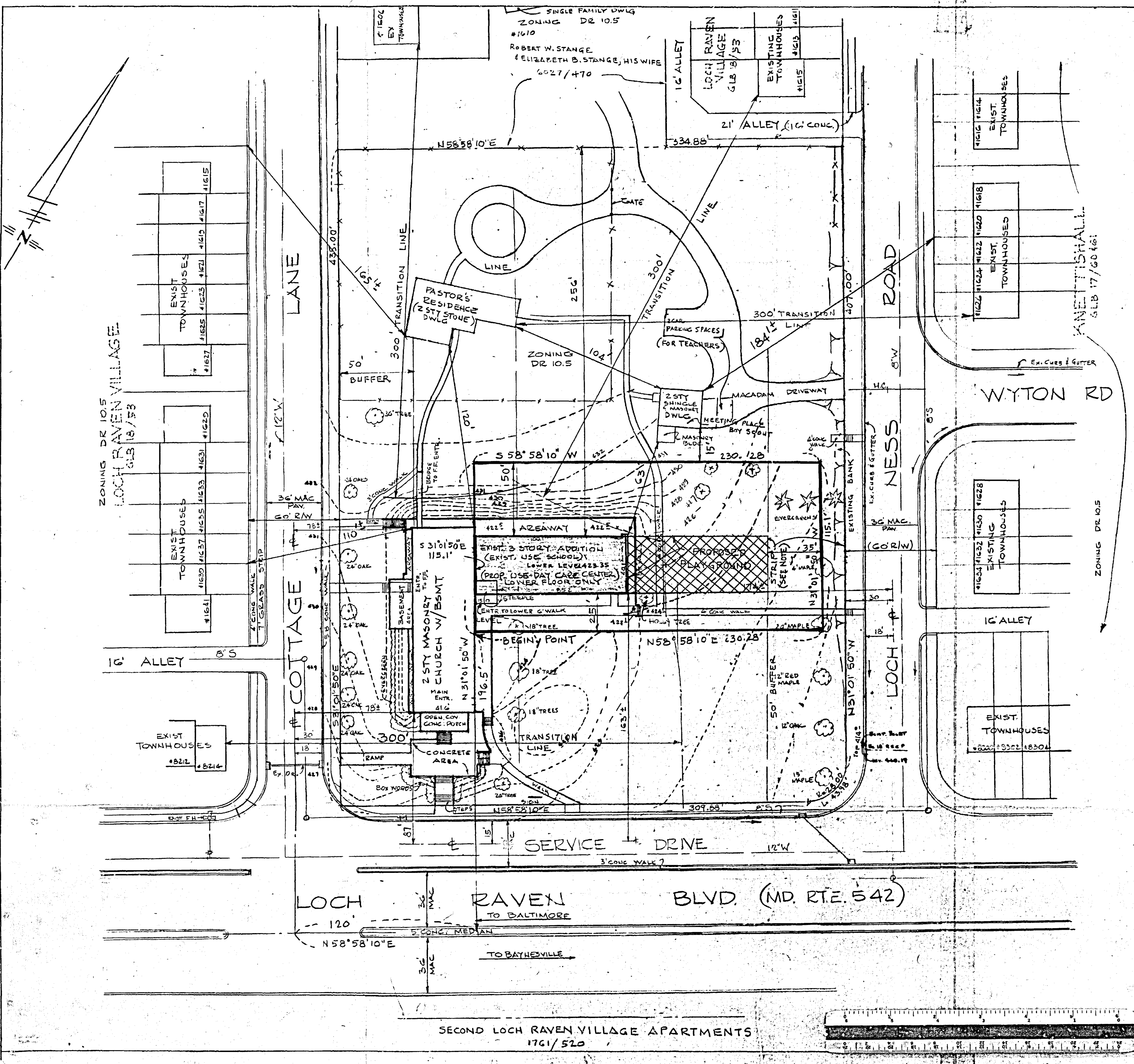
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING

DATE February 3, 1985

BY John P. Lavery, Jr.

ADMINISTRATIVE ASSISTANT



LOCATION MAP  
SCALE: 1"=500'

NOTES:  
PRESENT ZONING DR 10.5  
GROSS AREA = 4.170 AC±  
NET AREA = 3.36 AC±  
PROPOSED DAY CARE CENTER - LOWER LEVEL OF SCHOOL  
ADDITION (40.1' x 100.1') = 4,014.5 s.f.  
PROPOSED PLAY YARD AREA = 3816.7 s.f.  
AREA OF SPECIAL EXCEPTION = 26,516.7 s.f.  
FOUR (4) TEACHERS EMPLOYED ONE (1) CAR/TEACHER (4 REQ'D)  
4 PROVIDED

NOTE:  
ADDITIONAL LANDSCAPING IN  
50' BUFFER STRIP ALONG LOCH NESS ROAD & COTTAGE RD.  
WILL BE DETERMINED AT THE SPECIAL  
EXCEPTION HEARING.

PETITIONER'S  
EXHIBIT 1

SPECIAL EXCEPTION TO ALLOW A  
DAY CARE CENTER IN A DR-10.5 ZONING  
BABCOCK MEMORIAL PRESBYTERIAN CHURCH  
8240 LOCH RAVEN BLVD - 9TH ELECT. DIST. BALTO. CO MD  
SCALE: 1"=30' OCT. 2, 1984.

DEEDS: 1770-528  
6681-104  
ACCOUNT # 2-0902001800

MAP 30  
10/7/84  
9/1/84  
X  
11/1/84

HUDKINS ASSOCIATES, INC.  
200 EAST JOPPA ROAD  
ROOM 101, SHELL BUILDING  
TOWSON, MARYLAND 21204

